

No. **CR 07 00787 JW**

Filed
PVTEd

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

THE UNITED STATES OF AMERICA

vs.

CARLOS CAGUIMBAL

INDICTMENT

COUNTS ONE AND TWO:

Title 18, U.S.C. § 500 - Fraudulent Issuance of
Postal Money Order

COUNT THREE:

Title 18, U.S.C. § 1001(a)(3) - False Statement

A true bill.

Ramona R. Wells

Foreperson

P
AV
Filed in open court this 12 day of December

A.D. 2007

Dakricia V. Irons

United States Magistrate Judge

Bail. \$ summons
notices
for 1/24/08 before
Judge Lloyd

DOCUMENT NO	CSA'S INITIALS
<u>12</u>	
DISTRICT COURT CRIMINAL CASE PROCESSING	

SCOTT N. SCHOOLS (SCBN 9990)
United States Attorney

Filed
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

PVT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CARLOS CAGUIMBAL,

Defendant.

Criminal No.

VIOLATIONS: 18 U.S.C. § 500 -
Fraudulent Issuance of Postal Money
Order; 18 U.S.C. § 1001(a)(3) - False
Statement

SAN JOSE VENUE

INDICTMENT

The Grand Jury charges that:

COUNT ONE (18 U.S.C. § 500)

On or about November 22, 2005, within the Northern District of California, the
defendant,

CARLOS CAGUIMBAL,

being an employee of the United States Postal Service, did knowingly embezzle, steal, and
convert to his own use a blank money order form provided by the Postal Service, in violation of
Title 18, United States Code, Section 500.

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INDICTMENT

1 COUNT TWO (18 U.S.C. § 500)

2 On or about November 22, 2005, within the Northern District of California, the
3 defendant,

4 CARLOS CAGUIMBAL,

5 being an employee of the United States Postal Service, separate and distinct from the conduct
6 alleged in Count One, did knowingly embezzle, steal, and convert to his own use a blank money
7 order form provided by the Postal Service, in violation of Title 18, United States Code, Section
8 500.

9 COUNT THREE (18 U.S.C. § 1001(a)(3))

10 On or about November 22, 2005, within the Northern District of California, the
11 defendant,

12 CARLOS CAGUIMBAL,

13 in a matter within the jurisdiction of the United States Postal Service, an agency of the United
14 States, did knowingly and willfully make and use a false writing and document, knowing the
15 same to contain a false, fictitious and fraudulent material statement and entry, in that the
16 defendant stated, in a Postal Form 3533, that an entity herein referred to as "CMI" requested a
17 refund for spoiled and unused printed customer meter postage in the amount of \$1,000, whereas,

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INDICTMENT

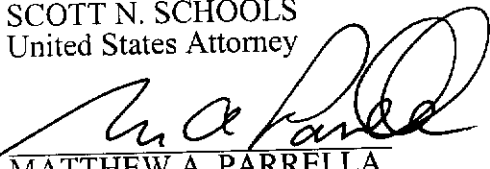
1 as defendant well knew, "CMI" had not in fact requested said refund, in violation of Title 18
2 United States Code, Section 1001(a)(3).
3

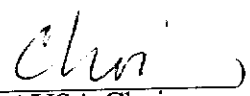
4 DATED: 12/12/07

A TRUE BILL.

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7 FOREPERSON

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11 SCOTT N. SCHOOLS
12 United States Attorney

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14 MATTHEW A. PARRELLA
15 Chief, San Jose Branch

16 (Approved as to form: )

AUSA Choi

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28 INDICTMENT

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED
 Title 18, U.S.C. § 500 - Fraudulent Issuance of Postal Money Order
 Title 18, U.S.C. § 1001(a)(3) - False Statement

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony
PENALTY:
 Counts 1-2: five years imprisonment; \$250,000 fine; three years supervised release; \$100 special assessment fee
 Count 3: five years imprisonment; \$250,000 fine; three years supervised release; \$100 special assessment fee
PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

Susan Baughan, Postal OIG

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Att'y ☐ Defense

☐ this prosecution relates to a pending case involving this same defendant

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

 Name and Office of Person
 Furnishing Information on
 THIS FORM

SCOTT N. SCHOOLS

☒ U.S. Att'y ☐ Other U.S. Agency

 Name of Asst. U.S. Att'y
 (if assigned)

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 Name of District Court, and/or Judge/Magistrate Location
 NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

CARLOS CAGUIMBAL

DISTRICT COURT NUMBER

CR 07 00787W

DEFENDANT**IS NOT IN CUSTODY**
 1) ☒ Has not been arrested, pending outcome this proceeding.
 If not detained give date any prior summons was served on above charges
2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☐ On this charge5) ☐ On another conviction6) ☐ Awaiting trial on other charges
☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

 Has detainer
 been filed?

☐ Yes
☐ No

 If "Yes"
 give date
 filed

Month/Day/Year

DATE OF ARREST

Or... if Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☒ SUMMONS ☐ NO PROCESS*

☐ WARRANT Bail Amount:

If Summons, complete following:

☒ Arraignment ☒ Initial Appearance

Defendant Address:

 10 Elizabeth Circle
 Salinas CA 93906

Comments:

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: January 24, 2007 at 9:30am

Before Judge: Howard R. Lloyd